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MAHONEY & KEANE

M. MATHON, S

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HMK/mh PS7984

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

COUTINHO FERROSTAAL, INC.,
f/k/a MAN FERROSTAAL, INC.

Plaintiff,

08 CV 3341 (CM)(DFE)
ECF CASE

-against-

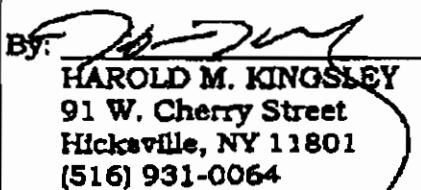
M/V GENCO SUCCESS, her engines,
boilers, tackle, etc., HYUNDAI MERCHANT
MARINE CO LTD, GENCO SHIPPING &
TRADING, LTD, GENCO SUCCESS LTD.STIPULATION AND
ORDER TO AMEND FIRST
AMENDED COMPLAINT

Defendants

X

WHEREAS Plaintiff filed its Complaint in this matter on April 4, 2008,
andWHEREAS Plaintiff filed its Amended Complaint in this matter on April
22, 2008, and defendants filed their Answer by their attorneys Mahoney &
Keane, Esqs., on or about May 22, 2008, andWHEREAS Plaintiff wishes to assert an additional claim concerning cargo
that was transported on the M/V GENCO SUCCESS, Voyage 705M, from
Shanghai, China to Houston, Texas, under b/l HDMUSHOHS7050135 dated
on or about June 24, 2007, in the amount of \$30,000.00, andWHEREAS Plaintiff has determined that the Complaint needs to be
amended to assert such additional claim, andWHEREAS Defendants have consented to Plaintiff amending its Amended
Complaint,THEREFORE the parties hereby stipulate to the filing of Plaintiff's
Second Amended Complaint attached hereto as Exhibit 1.

Dated: July 10, 2008

KINGSLEY KINGSLEY & CALKINS
Attorneys for PlaintiffBy: HAROLD M. KINGSLEY
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Hicksville, NY 11801
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Attorneys for DefendantsBy: EDWARD A. KEANE
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New York, NY 10005
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SO ORDERED.

Colleen McMahon, U.S.D.J.

Dated:

7/17/08

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 7/18/08

TOTAL P.02